



OR-2023-01-02

AN ORDINANCE AMENDING AND RELOCATING SECTION 97.05 OF THE CODE OF ORDINANCES FOR THE VILLAGE OF MARVIN, NORTH CAROLINA REGARDING ALCOHOLIC BEVERAGES

WHEREAS, NCGS 18B-300(c) authorizes a municipality to regulate or prohibit the possession of alcohol on municipal property; and

WHEREAS, the current Code of Ordinance provision regulation or prohibiting the possession of alcohol on municipal property is located in Chapter 97 Park and Recreation but Village Council intends to regulate on all municipal property as described herein; and

WHEREAS, the Village Council for the Village of Marvin intends to allow alcoholic beverages on Village property for certain situations as described herein.

NOW, THEREFORE, BE IT ORDAINED by the Village Council for the Village of Marvin, North Carolina that the Code of Ordinances for the Village of Marvin is hereby amended as follows:

Section 1. Section 97.05 Possess/Consume Alcohol of the Code of Ordinances of the Village of Marvin, North Carolina is deleted in its entirety and such section shall be marked in the Code of Ordinance as “reserved.”

Section 2. The Code of Ordinances of the Village of Marvin, North Carolina is amended by the addition of Chapter 98: Regulation of Alcoholic Beverages on Village Property with the following Sections:

a. Section 98.01 Possess / Consume Alcohol on Village Property

(a) It shall be a violation of this chapter for any person to possess or consume alcoholic beverages on village property; except where **(i) expressly approved by Village Council for a special event and/or (ii)** appropriate ABC permits have been issued to an individual or organization (as required) and in connection with an authorized event through the completion of a facilities rental agreement, including payment of fees.

(b) Nothing contained in this Chapter shall be construed to modify or change state laws regulating the possession or consumption of alcoholic beverages.

b. Section 98.99 Penalty.

(a) Violation of this chapter is not an infraction or misdemeanor under G.S. § 14-4.

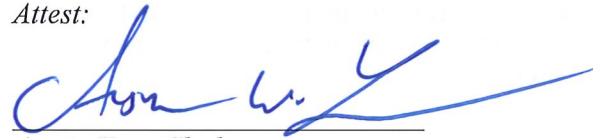
(b) A violation of this chapter shall subject the violator to a civil penalty not to exceed \$100.00 for first citation, \$200 for second citation, and \$500.00 for third and subsequent citation (all such citations counted during any 12-month period) to be recovered by the Village in a civil action in the nature of debt if the offender does not pay the penalty within a prescribed period of time after he has been cited for violation of the ordinance. Nothing contained herein shall be construed to limit the enforcement of state laws regulating the possession or consumption of alcoholic beverages.

Adopted and effective this the 10th day of January 2022.



Joseph E. Pollino, Mayor
Village of Marvin

Attest:



Austin Yow, Clerk
Village of Marvin

